

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF CHENOA, a body politic and corporate;)	
)	
)	
)	PETITIONER, T07-0093
vs.)	
)	
TOLEDO, PEORIA AND WESTERN RAILWAY CORPORATION,)	
)	
)	RESPONDENT.

RECEIVED

AUG 15 2008

Illinois Commerce Commission
RAIL SAFETY SECTION

MOTION FOR CONTINUANCE

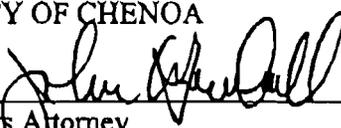
The CITY OF CHENOA as Petitioner respectfully petitions the Illinois Commerce Commission for a continuance of its hearing set for August 19, 2008, and in support thereof states as follows:

1. That the Petitioner and the Toledo, Peoria and Western Railway Corporation, as Respondent, have agreed in principal as indicated in the previous Motion for Continuance made by the City of Chenoa, but have not reached formal agreement, as the Railroad has moved its offices with some consequent disruption of its business operations, and the proposed Agreement is currently under review by its legal and engineering departments.

2. All parties are in agreement that the August 19, 2008, should be continued pending the submission of a Joint Proposed Order, which the parties hope to have ready and submitted within approximately thirty days.

3. The parties agree on a status hearing in approximately thirty days, at the convenience of the Commission.

Respectfully submitted,
CITY OF CHENOA

By: 
Its Attorney

DOCKETED

AUG 18 2008

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CAUGHEY, LEGNER & FREEHILL

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(815) 945-2611

F:\chenoa\kperrine\wp50\CITY\STORAGE\2nd Motion for Continuance re City of Chenoa TP&W Railway
matter.wpd

SERVICE LIST T07-0093

Walter Hetman
Mayor
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Chenoa, IL 61726-0167

Buford Hunter
Toledo, Peoria and Western Railway Corporation
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August 15, 2008

Mr. John Saladino
Rail Safety Specialist
Illinois Commerce Commission
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Springfield, IL 62701

Via Fax
(217) 785-7404

Mr. Buford Hunter
Toledo, Peoria and Western Railway Corporation
1990 E. Washington Stret
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RE: City of Chenoa vs. Toledo, Peoria & Western Railway Corporation

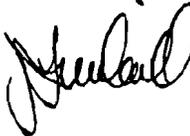
Gentlemen:

With reference to the above, please find enclosed a copy of a Motion for Continuance.

If you have any questions, don't hesitate to contact me.

Very truly yours,

CAUGHEY, LEGNER & FREEHILL

By: 

JAF/rmm

Encl.